

REMARKS

Review and reconsideration on the merits are requested.

Applicants appreciate the Examiner rejoining claim 3.

If the compound (derivative) claims are in condition for allowance, the Examiner is requested to consider rejoining method claims. For instance, the following claims depend from directly or indirectly from claim 1: 17-20, 25-29.

Applicants appreciate the Examiner withdrawing a number of rejections.

Applicants now address the rejections.

Claim Rejections - 35 U.S.C. § 112

Claims 1, 3 and 5-16 are rejected in the use of “a prodrug thereof”.

“Prodrug” language is canceled from the claims.

Claims 1, 3 and 5-16 are further rejected under 35 U.S.C. § 112, first paragraph, for the additional reasons set forth being at page 6 of the Action.

The Examiner cited certain publications and finds enablement for certain agents to treat certain conditions and finds agents to treat other conditions not enabled.

This rejection was discussed with the Examiner for clarification during a telephone interview. The Examiner finds agents for the **treatment** of the diseases recited at page 6, lines 11-14 of the Action to be enabled. This group was discussed with the Examiner and the Examiner indicated that the Examiner would also include in this group lipid metabolism disorder, though it is not mentioned.

Applicants understand the rejection to be as follows:

Claims 1, 3 and 5-16 are not enabled with respect to agents for the inhibition of postprandial hyperglycemia, prevention of a disease associated with hyperglycemia or a

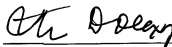
treatment of a disease associated with hyperglycemia selected from the group consisting of hypercholesterolemia, congestive heart failure, hyperuricemia and gout or for inhibition for advancing impaired glucose tolerance into diabetes. With the above understanding, Applicants cancel claims 11 and 14, delete prevention from claim 12, and cancel hypercholesterolemia, congestive heart failure, hyperuricemia and gout from claim 13.

It is believed this places the present application in condition for allowance, and such is requested.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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CUSTOMER NUMBER

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